

S/049/047

From: Joelle Burns
To: tom.mathison@shawgrp.com
Date: 9/16/04 12:06PM
Subject: Transfer forms - and new Notice

Hi Tom:

I will try to make this as understandable as possible. It might be easier to talk over the phone, but since you are leaving Eureka to go back to Pennsylvania today, I didn't think I would be able to reach you by phone. Anyway here goes:

The new notice for Homansville - I assigned file number S/049/047. That notice is pretty much complete, except a couple of things I noticed that need to be finished on the form:

Page 5 - V. Check the variance section. If a variance is needed, identify the number (1-14) and provide justification, or mark no variance needed.

VI. Check the box on which surety you provided (Certificate of Deposit).

Page 6 - VIII. Check the boxes and place initials on all three lines. Of course, you will need to include the \$150.00 permit fee when you send in the notice.

I had a question as to which address and contact you want me to put in our records. Our system will only allow one address and contact name. Shall I put you and your address in Pennsylvania or Joe Boyer in Texas? Whichever name & address is listed, will receive all correspondence.

The Reclamation Contract needs to be completed;

Page 1 - add file number S/049/047, mineral mined; mine location (how to get to the mine off highway ??, etc.;

Page 2 - add CD# 7404050227 under the Surety Company name; add escalation year 2005; add file number S/049/047;

Page 3 - the date the notice received could be left blank and we will fill it in when we receive the signed SMO.

Page 5 - needs to be notarized.

Page 7 - needs the file number added (S/049/047); the legal description added and map attached.

When this new notice is accepted and the surety and Reclamation Contract are signed and executed, we will send copies for your records.

Transfers

The transfers look good, so those documents can be finalized. However, in talking with Lynn Kunzler, **we will not process the transfers until the new SMO notice is completed and accepted, then the three sites will be transferred to Shaw Environmental's file S/049/047.** We need to redo the \$51,000 Reclamation Contract and the CD cover letter to reflect this being a large mine. We will change the file number S/049/047 to M/049/047 - designating it now as a large mine.

The Reclamation Contract needs to be revised to show:

Page 1 - File No. M/049/047; name of Mine **?(whatever name you are going to give the LMO when submitted)**; change acres to 20 (to include all 4 areas);

Page 2 - Add both CD #'s 7404050226 and 7404050227 under the Surety Company name; change amount to \$68,000; add escalation year 2005; add file number M/049/047;

Page 3 - We will fill in this blank (it will be the date the new SMO is received)

Page 5 - needs to be notarized

Page 7 - Mine name ?; permit number (M/049/047); add legal description and include topographic map of the entire area.

I have attached a new CD cover letter for the \$51,000 to show the file number as a large mine (M/049/047). I changed the name from Lime Peak Quarries to Homansville Project (highlighted), as this is the file we are placing it under. But please let me know what name you are going to call the large mine project and I will change the cover letter on the CD - no change is needed on the 2nd page that you and the bank will be signing.

As mentioned before, we won't be processing the transfers until the new SMO notice is fully completed and accepted.

Hopefully, this all makes sense to you. If you have any questions or concerns, regarding the forms, please contact me (801) 538-5291. Please contact Lynn Kunzler (801) 538-5310 if you have questions or concerns regarding the notices or transfers.

Thank you for your help in finalizing these actions.

Joelle Burns
Engineering Tech

CC: Daron Haddock; Lynn Kunzler